

STATE OF CALIFORNIA
DECISION OF THE
PUBLIC EMPLOYMENT RELATIONS BOARD



COMPTON COMMUNITY COLLEGE FEDERATION)	
OF EMPLOYEES, LOCAL 3486,)	
)	
Charging Party,)	Case No. LA-CE-2 630
)	
v.)	PERB Decision No. 704
)	
COMPTON COMMUNITY COLLEGE DISTRICT,)	November 22, 1983
)	
Respondent.)	

Appearances: Lawrence Rosenzweig, Attorney for Compton Community College Federation of Employees, Local 3486; Jones & Matson by Urrea C. Jones, Jr., for Compton Community College District.

Before Hesse, Chairperson; Porter and Craib, Members.

DECISION

CRAIB, Member: This case is before the Public Employment Relations Board (PERB or Board) on appeal by the charging party, Compton Community College Federation of Employees, Local 3486 (Federation), of a Board agent's partial dismissal of its charge that the Compton Community College District (District) violated sections 3543.5(a), (b), (c) and (d) of the Educational Employment Relations Act (EERA).¹ As discussed below, we find that the Federation has withdrawn the entire charge, including that portion which is the subject of the present appeal.

¹The EERA is codified at Government Code section 3540, et seq.

First, we take official notice² of a Notice of Withdrawal, dated June 22, 1988 and signed by the Federation's attorney. The withdrawal was submitted to the Board's regional office in Los Angeles, where the administrative law judge who was assigned to the portion of the charge on which a complaint had issued is located. The withdrawal, on its face, purports to withdraw with prejudice the charge in Case No. LA-CE-2630. There is no differentiation between that portion of the charge which had gone to complaint and that portion which is the subject of the present appeal.

By letter of October 18, 1988, the Board's executive director provided the charging party an opportunity to submit written argument on why the Notice of Withdrawal should not be considered as applying to the entire case. The Federation has not responded within the time period provided. Accordingly, given the clear and unambiguous language of the June 22, 1988 Notice of Withdrawal, as well as the Federation's failure to respond to an invitation to submit argument that the withdrawal was not intended to have any effect upon the appeal of the partial dismissal, we will dismiss the matter now before us.³

²PERB may take official notice of documents in its records and files. (John Swett Unified School District (1981) PERB Decision No. 188; Antelope Valley Community College District (1979) PERB Decision No. 97.)

³**That** portion of the charge on which a complaint issued was dismissed by the assigned administrative law judge by order dated June 23, 1988.

ORDER

The unfair practice charge in Case No. LA-CE-2630 is hereby
DISMISSED WITH PREJUDICE.

Chairperson Hesse and Member Porter joined in this Decision.